

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IRENA K. MAUSNER, *individually and as trustee of the*
IRENA K. MAUSNER REVOCABLE TRUST U/A/D
MAY 16, 2022,

Plaintiff,

-v-

IAN O. MAUSNER,

Defendant.

23-CV-994 (JMF)

ORDER


JESSE M. FURMAN, United States District Judge:

On February 6, 2023, Plaintiff filed a Complaint in which she invoked the Court’s subject-matter jurisdiction pursuant to 28 U.S.C. § 1332. *See* ECF No. 1, ¶ 18. Although Plaintiff alleges that the parties “are citizens of different states,” *id.*, she merely pleads her and Defendant’s states of residence, not their states of citizenship. *Id.* ¶¶ 13, 15. This is not enough. For the purpose of diversity jurisdiction, “a statement of the parties’ residence is insufficient to establish their citizenship.” *Leveraged Leasing Admin. Corp. v. PacifiCorp Capital, Inc.*, 87 F.3d 44, 47 (2d Cir. 1996); *see also, e.g., Linardos v. Fortuna*, 157 F.3d 945, 948 (2d Cir. 1998) (“For purposes of diversity jurisdiction, a party’s citizenship depends on his domicile.”); *Canedy v. Liberty Mut. Ins. Co.*, 126 F.3d 100, 103 (2d Cir. 1997) (“[A]llegations of residency alone cannot establish citizenship . . .”).

Accordingly, no later than **February 14, 2023**, Plaintiff shall file an amended complaint properly alleging the *citizenship* of each party. If, by that date, Plaintiff does not file an amended complaint establishing this Court’s subject-matter jurisdiction, the Court will dismiss the case without prejudice and without further notice to any party.

SO ORDERED.

Dated: February 7, 2023
New York, New York


JESSE M. FURMAN
United States District Judge